08/16/04 1 6 2004 TRADEMA

DECLARATION AND POWER OF
ATTORNEY FOR PATENT APPLICATION
(37 CFR 1.63)

Declaration Submitted with Initial Filing

OR

Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16(e)) required)

Attorney Docket Numb	ber 42P18955
First Named Inventor	David Zimmerman
	COMPLETE IF KNOWN
Application Number	10/815,217
Filing Date	March 30, 2004
Art Unit	
Exeminer Name	

### As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below, next to my name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

P	MEMORY CHANNEL SELF TEST		
			i
	(Title of the Invention)		
	( the of the hiremany	•	
the specification of which			
is attached hereto.			
OR			
was filed on (if applicable):			
or <u>03/30/2004</u> as	United States Application Number T International Application Number	10/815,217	
and was amended on		(if applicable)	

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment specifically referred to above.

I do not know and do not believe that the claimed invention was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof or more than one year prior to this application. I do not know and do not believe that the claimed invention was in public use or on sale in the United States of America more than one year prior to this application, nor do I know or believe that the invention has been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months (for a utility patent application) or six months (for a design patent application) prior to this application.

I acknowledge the duty to disclose information which is material to patentability as defined In 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

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I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, or inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

### Prior Foreign Application(s):

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?
ľ	•			Yes No
İ				Yes No
				☐Yes ☐No
				☐Yes ☐No
				☐Yes ☐No

### **Appointment of Practitioners:**

I hereby appoint the practitioners associated with Customer Number: 45209 as my respective patent attorneys and patent agents, with full power of substitution and revocation, to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith.

If this patent application is assigned, then the undersigned hereby authorizes the patent attorneys and patent agents named herein to accept and follow instructions from the assignee(s) as to any action to be taken in the United States Patent and Trademark Office regarding this application without direct communication between the patent attorneys and patent agents and the undersigned. In the event of a change in the persons from whom instructions may be taken, at least one patent attorney or patent agent named herein will be so notified by the undersigned.

### Correspondence:

Direct all correspondence to Customer Number 08791

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name:		Zimmerman
	(First, Middle [if any], Family	Name (or Surname), and Suffix [if any])
Inventor's Signatu	re	Date 9/21/204
Residence El	Dorado Hills, California USA	Citizenship USA
	(City, State, Country)	(Country)
Mailing Address	433 Sortwell Court	Country
	El Dorado Hills, California 95762 USA	

		Edward Weaver	
	(First, Middle [if any], Fai	mily Name (or Surname), a	nd Suffix [If any])
inventor's Signatur	e	Date	·
Residence Sun	myvale, California USA	Citizenship	ΙŒΔ
(BSIGBLICE DAL	(City, State, Country)	Oluzensinp	(Country)
Mailing Address	1461 Bedford Avenue		(332)/
	Sunnyvale, California 94087 USA		
JAME OF THIRD	INVENTOR: A petition has	heen filed for this line	dereigned inventor
CAME OF THIRD		been med for this unc	reisigned inventor
full Name:		ubramanian Rajamani	
	(First, Middle [if any], Fan		nd Suffix [if any])
nventor's Signatur	e	Date	
Residence Cur	vertino, California USA	Citizenship	TISA
residence <u>cu</u>	(City, State, Country)	Chizeriship	(Country)
Mailing Address	21387 Krzich Place		(Oominiy)
	Cupertino, California 95014 USA		
	H INVENTOR:	been filed for this und	lerşigned inventor
Full Name:	(First, Middle [if any], Fan		
Full Name:	(First, Middle [if any], Far	nily Name (or Surname), an	
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Full Name:  nventor's Signatur Residence	(First, Middle [if any], Fan	nily Name (or Surname), an Date Citizenship	nd Suffix (if any])  (Country)
NAME OF FOURT Full Name: Inventor's Signatur Residence Mailing Address	(First, Middle [if any], Fan e (City , State, Country)	nily Name (or Surname), an Date Citizenship	nd Suffix (if any])  (Country)
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Full Name:  nventor's Signatur  Residence  Mailing Address	(First, Middle [if any], Fan  (City , State, Country)	nily Name (or Surname), an Date Citizenship	nd Suffix (if any])  (Country)
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Full Name:  Inventor's Signatur Residence  Mailing Address  NAME OF FIFTH I	(First, Middle [if any], Fan e  (City , State, Country)  NVENTOR: A petition has	nily Name (or Surname), an Date Citizenship	(Country)
Full Name:  Inventor's Signatur Residence  Mailing Address  NAME OF FIFTH I Full Name:	(First, Middle [if any], Fan e  (City , State, Country)  NVENTOR: A petition has	nily Name (or Surname), and Date  Citizenship  been filed for this und name (or Surname), and Date	(Country)
Full Name:  Inventor's Signatur Residence  Mailing Address  NAME OF FIFTH I	(First, Middle [if any], Fan e  (City , State, Country)  NVENTOR: A petition has	Date  Citizenship  been filed for this und	(Country)
Full Name:  Inventor's Signatur Residence  Mailing Address  NAME OF FIFTH I Full Name:	e  (First, Middle [if any], Fan  (City , State, Country)  NVENTOR: A petition has  (First, Middle [if any], Fan	nily Name (or Surname), and Date  Citizenship  been filed for this und name (or Surname), and Date	(Country)  dersigned inventor  ad Suffix [if any])

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# Title 37, Code of Federal Regulations, Section 1.56 Duty to Disclose Information Material to Patentability.

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filling and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim existing claim. The duty to disclose all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by \$\$1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
  - (1) Prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
  - (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
  - (2) It refutes, or is inconsistent with, a position the applicant takes in:
    - (i) Opposing an argument of unpatentability relied on by the Office, or
    - (ii) Asserting an argument of patentability.

A prime facte case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
  - Each inventor named in the application;
  - (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.
- (e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paregraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.



		ON AND POWER OF	Attorney Docket Numb		42P18955	_
ALIORNET		PATENT APPLICATION (CFR 1.63)	First Named Inventor	Da	avid Zimmerman	
	ιυ.	O/ IC 1.03)	С	OM	PLETE IF KNOWN	_
C Destaurties		571' <b>.</b>	Application Number	11	0/815,217	-
Declaration Submitted	OR	Declaration Submitted after initial	Filing Date	М	larch 30, 2004	
with initial Filing		Filing (surcharge (37 CFR 1.18(e))	Art Unit	Γ		
J		required)	Examiner Name	$\Gamma$		

## As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below, next to my name.

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MEMORY CHANNEL SELF TEST	
(Title of the Invention)	
the specification of which	
is attached hereto.	
OR ·	
was filed on (if applicable):	
or 03/30/2004 as United States Application Number PCT International Application Number	10/815,217
and was amended on	(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment specifically referred to above.

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Prior Foreign	Annlica	tion(e)

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?
				☐ Yes ☐ No
				☐Yes ☐No
				☐Yes ☐No
				☐Yes ☐No
		<u> </u>		☐Yes ☐No

### **Appointment of Practitioners:**

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NAME OF SOLE	OR FIRST INVENTOR:	A petition has been filed for	this undersigned inventor
Full Name:		David Zimmerman	
	(First, Middle	[if any]. Family Name (or Surname), a.	nd Suffix [if any])
Inventor's Signatu	re	Date	
Residence EI	Dorado Hills, California USA	Citizenship	USA
	(City , State, Countr	אין	(Country)
Mailing Address	433 Sortwell Court		* **
	El Dorado Hills, California 9:	5762 USA	

Full Name:			d Weaver		
		st. Middle [if any] Family Na	me (or Surname), a	and Suffix (if any!)	
nventor's Signatur	e Experien	Destance 1	Date _	8/9/2004	
Residence Sur	nyvale, California U	SA	Citizenship	TITO A	-
		ite. Country)	Clozerianip	(Country)	
Mailing Address	1461 Bedford Ave	nue		(Country)	
	Sunnyvale, Californ	nia 94087 USA			
			*		
LAME OF THIRD	INVENTOR:	A petition has been	filed for this und	dersigned inventor	
ull Name:		Ramasubrama	mian Rejamani		
	$\bigcap \bigcap \bigcap^{(Firs)}$	n, Middle [if any], Family Nan	ne (or Surname), as	nd Suffix [If any])	٥
nventor's Signatur	= <u>15164</u>	mani	Date	8/8/2004	<u> </u>
esidence <u>Cup</u>	ertino, California US	A	Citizenship	USA	
		te. Country)	·	(Country)	
lailing Address	21387 Krzich Place				
AME OF FOURTH	Cupertino, Californi  I INVENTOR:	☐ A petition has been f	iled for this und	ersigned inventor	
AME OF FOURTI	f INVENTOR:	A petition has been f			
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ull Name: ventor's Signature esidence ailing Address	I INVENTOR:  (First  (City , State	A petition has been f	e (or Surname), and Date Citizenship	d Suffix [if any])  (Country)	
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ull Name: ventor's Signature esidence ailing Address  ME OF FIFTH IN	(First)	A petition has been for the second of the se	Date  Citizenship  ded for this under	d Suffix [if any])  (Country)  ersigned inventor	
ventor's Signature esidence ailing Address  ME OF FIFTH IN II Name: eentor's Signature	I INVENTOR:  (First (City , State	A petition has been for the second of the se	e (or Surname), and Date  Citizenship  ed for this under for Surname), and Date	d Suffix [if any]) (Country) ersigned inventor	
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  - (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.
- (e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filling date of the prior application and the national or PCT international filling date of the continuation in-part application.